

B 2100A (Form 2100A) (12/15)

# UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF Mississippi

In re BELL HENDERSON JR,

Case No. 19-12652

## TRANSFER OF CLAIM OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE or deemed filed under 11 U.S.C. § 1111(a). Transferee hereby gives evidence and notice pursuant to Rule 3001(e)(2), Fed. R. Bankr. P., of the transfer, other than for security, of the claim referenced in this evidence and notice.

U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2018 G-CTT

Wells Fargo Bank, N.A.

Name of Transferee

Name of Transferor

Name and Address where notices to transferee should be sent:

Rushmore Loan Management Services  
P.O. Box 55004  
Irvine, CA 92619-2708

Court Claim # (if known): 3

Amount of Claim: \$84,573.05

Date Claim Filed: 08/22/2019

Phone: 888-504-6700

Phone: 800-274-7025

Last Four Digits of Acct #: 9314

Last Four Digits of Acct. #: 3314

Name and Address where transferee payments should be sent (if different from above):

Rushmore Loan Management Services  
P.O. Box 52708  
Irvine, CA 92619-2708

Phone: 888-504-6700

Last Four Digits of Acct #: 9314

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of my knowledge and belief.

By: Christopher K. Baxter  
Transferee/Transferee's Agent

Date: 03/27/2021

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on the Debtor via United States Mail at the address listed on PACER, and to the Debtor's attorney, the Chapter 13 Trustee, the U.S. Trustee, and all parties requesting notice via CM/ECF on March 29, 2021.

Bell Henderson, Jr.  
1273 Waxhaw Drive  
Greenville, MS 38701

Michael W. Boyd  
Boyd Law Office, P.A.  
P.O. Box 1586  
Greenville, MS 38702-1586

Locke D. Barkley  
6360 I-55 North  
Suite 140  
Jackson, MS 39211

Marinosci Law Group, P.C.

/s/ Christopher K. Baxter  
Christopher K. Baxter, Esq.  
Email: BKinquiries@mlg-defaultlaw.com  
ATTORNEYS FOR CREDITOR



P.O. Box 814529  
Farmers Branch, TX 75381-4529  
888.616.5400 toll free  
844.897.5703 fax  
www.rushmorelm.com

March 02, 2021

BELL HENDERSON JR  
1273 WAXHAW DR  
GREENVILLE MS 38703-6520

Your New Loan Number: [REDACTED]  
Property Address: 1273 WAXHAW DR  
GREENVILLE, MS 38703

#### NOTICE OF ASSIGNMENT, SALE OR TRANSFER OF SERVICING

Dear Mortgagor(s):

Welcome to Rushmore Loan Management Services. Our intention is to meet your loan servicing needs with efficient, prompt, and courteous service. Below you will find important information regarding how to contact us, make payments and set up your online account. We encourage you to visit our website at [www.rushmorelm.com](http://www.rushmorelm.com) and create an account after receiving this letter.

You are hereby notified that the servicing of your mortgage loan, that is, the right to collect payments from you, has been assigned, sold or transferred from Wells Fargo Home Mortgage to Rushmore Loan Management Services LLC (Rushmore), effective 02/25/2021. The transfer of the servicing of your mortgage does not affect any term or condition of the mortgage instruments, other than terms directly related to the servicing of your loan.

Except in limited circumstances, the law requires that your previous servicer send you this notice at least 15 days before the effective date of transfer. As your new servicer, we must also send you this notice no later than 15 days after this effective date or at closing.

Your previous servicer was Wells Fargo Home Mortgage. The previous servicer's address is as follows: P.O. Box 10335, Des Moines, IA 50306 0335. If you have any questions regarding the transfer of servicing from your previous servicer, call Wells Fargo Home Mortgage Customer Service at 866 234 8271 between Mon Fri 6:00 am 10:00 pm and Sat 8:00 am 2:00 pm CST. This is a toll free number.

**Rushmore will be your new servicer. The business addresses for your new servicer are as follows:**

**Correspondence Address**  
**Rushmore Loan Management Services LLC**  
**1755 Wittington Place, Suite 400**  
**Dallas, TX 75234**

**Payment Address**  
**Rushmore Loan Management Services LLC**  
**P.O. Box 514707**  
**Los Angeles, CA 90051-4707**

If you have any questions related to the transfer of servicing to Rushmore, call our Customer Care Department at **888-616-5400** between Monday through Thursday, 6 a.m. to 7 p.m., Friday 6 a.m. to 6 p.m. Pacific. Please have your new loan number available when calling.

Rushmore offers several convenient ways to make your monthly payment. You can make your payment by phone at **888-616-5400** (a small fee may apply) or for free through our website at [www.rushmorelm.com](http://www.rushmorelm.com). Click on the upper banner titled **ACCOUNT LOGIN** and you can make a payment or sign up for **Auto Draft Payments (ACH)**. Rushmore highly recommends this option, as it helps to prevent you from being late on any of your very important mortgage payments. You may also use Western Union Quick Collect (**Code City: Rushmore Code State: CA**). Western Union may charge a fee for this service.

The date that your present servicer Wells Fargo Home Mortgage will stop accepting your payments is 02/24/2021. The date that Rushmore will begin accepting payments from you is 02/25/2021. Send all payments due on or after that due date to your new servicer. A billing statement from Rushmore will be mailed to you within 15 to 30 days.

If you are currently making your mortgage payment through a third party entity (e.g., your on line banking, government allotment, biweekly, or bill service), please take the necessary steps to advise them of your new loan number and change the payee to your new servicer. In the event of a payment change, it is your responsibility to notify the third party of the new payment amount and new address to send the payments.

Rushmore Loan Management Services LLC requests that you make every effort to remit your monthly payments on the contractual due date shown on the note and your payment coupon.

If you wish to speak with a Housing Counseling Agency certified by the U.S. Department of Housing and Urban Development (HUD), please call the following toll free number: (800) 569 4287.

For a full list of Rushmore's standard fees, please visit our website at [https://www.rushmorelm.com/standard\\_fees/](https://www.rushmorelm.com/standard_fees/).

**Important note:** If you entered into an approved loss mitigation plan with your previous loan servicer, or if you had a loss mitigation application in process with your previous servicer, please call Rushmore immediately, toll free, at 844 248 8169, to confirm that the loss mitigation plan information, or application and documentation, were properly transferred to Rushmore.

You should also be aware of the following information, which is referred to in more detail in Section 6 of the Real Estate Settlement Procedures Act (RESPA) (12 USC §2605).

During the 60 day period following the effective date of transfer of the loan servicing, a loan payment received by your previous servicer before its due date may not be treated by the new servicer as late, and a late charge fee may not be assessed.

A Business Day is a day on which the offices of the business entity are open to the public for carrying on substantially all of its business functions.

Section 6 of RESPA also provides for damages and costs for individuals or classes of individuals in circumstances where servicers are shown to have violated the requirements of that Section. You should seek legal advice if you believe your rights have been violated.

**Important note about insurance:** If you have mortgage life or disability insurance or any other type of optional insurance, the transfer of servicing rights may affect your insurance in the following way:

Rushmore does not collect and remit any type of optional insurance to your insurance company. Any premiums for any such optional policy that was being collected and remitted by your previous servicer will be discontinued by Rushmore as of the effective date of the transfer of servicing. If you wish to retain such optional insurance, you should contact your optional product service provider about your ability to continue such insurance and how to make premium payments.

Should you have any questions, please contact our Customer Care Department at toll free **888-616-5400, Monday through Thursday, 6 a.m. to 7 p.m., Friday 6 a.m. to 6 p.m. Pacific.**

Sincerely,

Rushmore Loan Management Services LLC

**Please keep this document for your records.**



Rushmore Loan Management Services LLC is a Debt Collector, who is attempting to collect a debt. Any information obtained will be used for that purpose. However, if you are in Bankruptcy or received a Bankruptcy Discharge of this debt, this letter is being sent for informational purposes only, is not an attempt to collect a debt and does not constitute a notice of personal liability with respect to the debt.

If you have any other mortgage loans secured by the same property not serviced by Rushmore, please contact your other servicer directly to discuss any possible loss mitigation options that may be available to you.

If you are a confirmed Successor in Interest who has not assumed the mortgage loan obligation under State Law, this letter is being sent for information purposes only and does not constitute personal liability with respect to the debt.

**LEGAL NOTIFICATION:** Rushmore Loan Management Services LLC may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

**Notice of Error Resolution & Information Request Procedures**

The following outlines the Error Resolution and Information Request Procedures for your mortgage account at Rushmore Loan Management Services LLC (RLMS). Please keep this document for your records.

**If you think an error has occurred on your mortgage account or if you need specific information about the servicing of your loan, please write us at:**

**Rushmore Loan Management Services LLC**  
P.O. Box 52262  
Irvine, California 92619 2262

All written requests for information or notices of error should contain the following information:

1. Your name
2. Account number
3. Property Address
4. Description of the error and explanation as to why you believe it is an error or a request for specific information regarding the servicing of your loan
5. Current contact information so we may follow up with you

All written requests for specific information will be handled within 30 days of receipt. We will determine whether an error occurred within 30 days after receiving your notice of error and will correct any error promptly (Notices of error on payoff statements will be handled within 7 days). If additional time is needed to investigate your complaint or request, we may take up to 45 days but we will notify you of the extension within the original 30 days. If we decide that there was no error, we will send you a written explanation. You may ask for copies of the documents that we used in our investigation.

**HUD STATEMENT**

Pursuant to section 169 of the Housing and Community Development Act of 1987, you may have the opportunity to receive counseling from various local agencies regarding the retention of your home. You may obtain a list of the HUD approved housing counseling agencies by calling the HUD nationwide toll free telephone at 1 800 569 4287.

**Equal Credit Opportunity Act Disclosure**

NOTICE: The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552.

Rev 8/19

<b>FACTS</b>	<b>WHAT DOES RUSHMORE LOAN MANAGEMENT SERVICES DO WITH YOUR PERSONAL INFORMATION?</b>
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<b>Why?</b>	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
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<b>What?</b>	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> <li>• Social Security numbers and income</li> <li>• Account balances and payment history</li> <li>• Credit history and credit scores</li> </ul> <p>When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.</p>
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<b>How?</b>	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Rushmore Loan Management Services chooses to share; and whether you can limit this sharing.
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Reasons we can share your personal information	Does Rushmore Loan Management Services share?	Can you limit this sharing?
For our everyday business purposes – such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes – to offer our products and services to you	Yes	No
For joint marketing with other financial companies	Yes	No
For our affiliates' everyday business purposes – information about your transactions and experiences	No	We don't share
For our affiliates' everyday business purposes – information about your creditworthiness	No	We don't share
For nonaffiliates to market to you	No	We don't share

<b>Questions?</b>	Call 888-504-6700 or go to <a href="http://www.rushmorelm.com">www.rushmorelm.com</a>
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What we do	
How does Rushmore Loan Management Services protect my personal information?	<p>To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.</p> <p>Only persons who manage your account or provide you products or services have access to your nonpublic personal information. We maintain physical, electronic, and procedural safeguards to protect your information.</p>
How does Rushmore Loan Management Services collect my personal information?	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> <li>• Apply for a loan</li> <li>• Pay your bills or give us your contact information</li> <li>• Give us your income information or provide employment information.</li> </ul> <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
Why can't I limit all sharing?	<p>Federal law gives you the right to limit only</p> <ul style="list-style-type: none"> <li>• Sharing for affiliates' everyday business purposes - information about your creditworthiness</li> <li>• Affiliates from using your information to market to you</li> <li>• Sharing for nonaffiliates to market to you</li> </ul> <p>State laws and individual companies may give you additional rights to limit sharing. See below for more on your rights under state law.</p>
Definitions	
<i>Affiliates</i>	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>• <i>Rushmore Loan Management Services does not share with our affiliates.</i></li> </ul>
<i>Nonaffiliates</i>	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>• <i>Rushmore Loan Management Services does not share with nonaffiliates so they can market to you.</i></li> </ul>
<i>Joint Marketing Agreement</i>	<p>A formal agreement between nonaffiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> <li>• <i>Our joint marketing partners include mortgage companies and other companies that we believe may help you to improve your credit rating, manage your debts or refinance your loan.</i></li> </ul>

### Other important information

**Do Not Call Policy.** This notice is the Rushmore Loan Management Services Do Not Call Policy under the Telephone Consumer Protection Act. We do not solicit via telephone numbers listed on the state or federal Do Not Call lists, unless the law allows. Rushmore Loan Management Services employees receive training on how to document and process telephone marketing choices. Consumers who ask not to receive telephone solicitations from Rushmore Loan Management Services will be placed on the Rushmore Loan Management Services Do Not Call list and will not be called in any future campaigns, including those of affiliates.

**Call Monitoring and Recording.** If you communicate with us by telephone, we may monitor or record the call.

**Nevada Residents.** If you are a resident of Nevada, we are providing you this notice under state law. You may be placed on our internal Do Not Call List by following the directions in the *To limit direct marketing contact* section. If you have questions about this notice, you may contact us at Rushmore Loan Management Services, P.O. Box 52262, Irvine, CA, 92619; Phone Number: 888.504.6700 or you may also contact the Nevada Attorney General's office at Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: 702.486.3132; Email: [AGINFO@ag.nv.gov](mailto:AGINFO@ag.nv.gov).

**California Residents.** If you are a resident of California, you are permitted to limit our disclosure of your nonpublic personal information to non-affiliated financial institutions with which we have a joint marketing agreement. You may request that we not share your non-public personal information with these third parties by (1) completing, signing and returning to us the form entitled "Important Privacy Choices for Consumers" provided when your loan transferred to us or (2) by calling us at 888-504-6700. Except as set forth above, Rushmore Loan Management Services will not share your non-public personal information with other unaffiliated third parties.

**Vermont Residents.** If you are a resident of Vermont, Rushmore Loan Management Services does not disclose information about your creditworthiness to our affiliates and also does not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law. In the event that this should change, Rushmore Loan Management Services will not share your information without an affirmative opt-in. We will communicate the opt-in process with you at that time.

Additional information concerning our privacy policies can be found at <https://www.rushmorelm.com/our-privacy-policy/> or call 888-504-6700.



## **Legal Rights and Protections Under the SCRA**

Servicemembers on “active duty” or “active service,” or a spouse or dependent of such a servicemember may be entitled to certain legal protections and debt relief pursuant to the Servicemembers Civil Relief Act (50 USC §§ 3901-4043) (SCRA).

### **Who May Be Entitled to Legal Protections Under the SCRA?**

- Regular members of the U.S. Armed Forces (Army, Navy, Air Force, Marine Corps and Coast Guard).
- Reserve and National Guard personnel who have been activated and are on Federal active duty
- National Guard personnel under a call or order to active duty for more than 30 consecutive days under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President and supported by Federal funds
- Active service members of the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration.
- Certain United States citizens serving with the armed forces of a nation with which the United States is allied in the prosecution of a war or military action.

### **What Legal Protections Are Servicemembers Entitled To Under the SCRA?**

- The SCRA states that a debt incurred by a servicemember, or servicemember and spouse jointly, prior to entering military service shall not bear interest at a rate above 6 % during the period of military service and one year thereafter, in the case of an obligation or liability consisting of a mortgage, trust deed, or other security in the nature of a mortgage, or during the period of military service in the case of any other obligation or liability.
- The SCRA states that in a legal action to enforce a debt against real estate that is filed during, or within one year after the servicemember’s military service, a court may stop the proceedings for a period of time, or adjust the debt. In addition, the sale, foreclosure, or seizure of real estate shall not be valid if it occurs during, or within one year after the servicemember’s military service unless the creditor has obtained a valid court order approving the sale, foreclosure, or seizure of the real estate.
- The SCRA contains many other protections besides those applicable to home loans.

### **How Does A Servicemember or Dependent Request Relief Under the SCRA?**

- In order to request relief under the SCRA from loans with interest rates above 6% a servicemember or spouse must provide a written request to the lender, together with a copy of the servicemember’s military orders.  
*Rushmore Loan Management Services LLC / 15480 Laguna Canyon Road, Suite 100, Irvine CA 92618  
Telephone: (888) 504-6700 / Fax (949) 453-9397*
- There is no requirement under the SCRA, however, for a servicemember to provide a written notice or a copy of a servicemember’s military orders to the lender in connection with a foreclosure or other debt enforcement action against real estate. Under these circumstances, lenders should inquire about the military status of a person by searching the Department of Defense’s Defense Manpower Data Center’s website, contacting the servicemember, and examining their files for indicia of military service. Although there is no requirement for servicemembers to alert the lender of their military status in these situations, it still is a good idea for the servicemember to do so.

### **How Does a Servicemember or Dependent Obtain Information About the SCRA?**

- Servicemembers and dependents with questions about the SCRA should contact their unit’s Judge Advocate, or their installation’s Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/content/locator.php>
- “Military OneSource” is the U. S. Department of Defense’s information resource. If you are listed as entitled to legal protections under the SCRA (see above), please go to [www.militaryonesource.com/legal](http://www.militaryonesource.com/legal) or call 1-800-342-9647 (toll free from the United States) to find out more information. Dialing instructions for areas outside the United States are provided on the website.